

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 16416 of 619 14th Street Limited Partnership, pursuant to 11 DCMR 3108.1, for special exceptions to waive the rear yard requirements (Subsection 774.2) and the roof structure setback requirements (Subsection 411.11), and relief under 11 DCMR 3107.2 for a variance from Subsection 1702.1, the ground floor retail requirement, for the construction of an addition and use of the entire building for offices in a DD/C-4 District at premises 619 14th Street, N.W. (Square 253, Lot 67).

HEARING DATE: January 6, 1999
DECISION DATE: January 6, 1999 (Bench Decision)

SUMMARY ORDER

The Board provided proper and timely notice of public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 2F and to owners of property within 200 feet of the site.

The site of this application is located within the jurisdiction of ANC 2F. ANC 2F, which is automatically a party to this application, submitted a written statement in support of the application.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for special exceptions pursuant to 11 DCMR Subsections 774.2 and 411.11 and for a variance from the strict application of the requirements of 11 DCMR Subsection 1702.1. No person or entity appeared at the public hearing in opposition to this application or otherwise requested to participate as a party in this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that the applicant has met the burden of proof pursuant to 11 DCMR 3107 that there exists an exceptional or extraordinary situation or condition related to the property which creates a practical difficulty for the owner in complying with the Zoning Regulations and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map. The Board also concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. It is therefore **ORDERED** that this application be **GRANTED**, **SUBJECT** to the following **CONDITIONS**:

1. The building occupant agrees to use the street level display windows at 619 14th Street, N.W. to showcase the technology, technical achievements and people of the company. The occupant shall use a revolving set of posters, displays, and video demonstrations to create a technically sophisticated impression of motion to pedestrians on the sidewalk. The thematic diversity of the displays and the sheer number of capabilities and hardware available for the showcase shall result in changing of displays in the range of every 120 days.
2. The window displays shall occur within the restored historic glass storefronts of the building at 619 14th Street, N.W. Each display area shall be approximately 3 feet to 4 feet in depth, but no less than 3 feet. No two windows shall be exactly alike at any given time, and each time a window exhibit changes, at least 50% of the materials previously used shall be replaced. Each window display shall have a three dimensional aspect to it with nothing placed closer than 6 inches to the glass line.
3. The building occupant shall make available, depending upon demand, some of the display space in its street level window available to community groups and activities. These displays may include messages and exhibits from the city's educational, historic, art and performing arts organizations.

Pursuant to 11 DCMR 33301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is appropriate in this case.

VOTE: 3-0 (Jerry Gilreath, Betty King and Sheila Cross Reid to grant).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


JERRILY R. KRESS, FAIA
Director

FINAL DATE OF ORDER: AUG - 3 1999

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL

COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF TWO YEARS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

ord16416/JKN

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO. 16416

As Director of the Board of Zoning Adjustment, I certify and attest that on
AUG - 3 1999 a copy of the decision entered on that date in this matter was
mailed first class, postage prepaid to each party in this case, and who is listed below:

Norman M. Glasgow, Jr., Esquire
Wilkes, Artis, Hedrick & Lane, Chtd.
1666 K Street, N.W. Suite 1100
Washington, D.C. 20006

The Chairperson
Advisory neighborhood commission 2F
Washington Plaza Hotel
P. O. Box 9348
Washington, D.C. 20005

Attested By: _____


JERRILY R. KRESS, FAIA
Director

Attest/JKN